

**UTAH
OFFICE OF
CHILD
PROTECTION
OMBUDSMAN**



**ANNUAL
REPORT
2000/2001**

January 4, 2002

To the Citizens of Utah:

Pursuant to Section 62A-4a-208 (4), I am pleased to submit to you the Office of Child Protection Ombudsman Annual Report for the reporting period of July 1, 2000 through June 30, 2001.

Sincerely,

Marsha Peterson
Child Protection Ombudsman

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“The Ombudsman is an independent governmental official who receives complaints against government agencies and officials from aggrieved persons, who investigates, and who, if the complaints are justified, makes recommendations to remedy the complaints.”

- American Bar Association Administrative Law Section 1969

OMBUDSMAN’S MESSAGE

As Ombudsmen, we are privileged to speak for those who do not have a voice or believe their voice is not being heard. Since my appointment as Utah’s first Child Protection Ombudsman in April 1995, I have worked to develop an office that is trusted by the citizens of Utah and is viewed as ethical and professional in the services it provides and the investigations it conducts. A personal goal of mine has been to create an office that is recognized as a leader in preserving the rights of children to be protected from abuse and neglect.

The Office of Child Protection Ombudsman (OCPO) consists of one Ombudsman, three Assistant Ombudsmen, an Intake Specialist, and an Executive Secretary. These six professionals handle complaints filed by citizens involving 42 Division of Child and Family Services (DCFS) offices in the State of Utah. Although small in number, the combined skills, education, experience, and knowledge of the OCPO staff form a strong foundation for providing services to the citizens of Utah. These services include assisting complainants in defining their concerns, clarifying their rights and responsibilities, explaining available options, reasonable expectations, and the conflict resolution process, as well as conducting investigations and making recommendations.

In 2001, OCPO made more than 238 recommendations to DCFS that resulted in the enhancement of DCFS services provided to Utah children and families.

Fiscal year 2001 has been an exciting year for the Utah Office of Child Protection Ombudsman. In May 2001, OCPO hosted the first United States Ombudsman Association (USOA) Children and Families Chapter semi-annual conference. This conference was organized in response to the need to network and dialogue common challenges and barriers identified by the Child and Family Ombudsmen during the 2000 USOA National Conference.

The two-day conference included presentations on a variety of topics related to our common work as Ombudsmen. One of the presentations given by the Utah OCPO staff was a demonstration of the new OCPO complaint tracking system known as the Kids Information Database System (KIDS). KIDS allows OCPO to track complaint information, create reports reflecting what the information is telling us, and share that information with the DCFS Administration. Since the conference, other state and county Ombudsmen across the nation have contacted OCPO requesting a copy of KIDS.

OCPO continues to work with the USOA to gain a better understanding of the role and authority of a child and family Ombudsman. In August 2001, the USOA invited me to present at the USOA Conference in New Hampshire to describe the creation of an Ombudsman’s office, and to serve on a panel to respond to new Ombudsmen’s questions.

An ongoing challenge continues to be that of educating the public about the existence and availability of OCPO. A Child Welfare partner once commented that OCPO is “one of Utah’s best kept child welfare secrets.” In an effort to increase awareness, OCPO issues an annual report and has developed an informational pamphlet and web site that provides answers to commonly asked questions regarding OCPO services.

The OCPO staff conducts interviews with families and child welfare partners involved in the cases being investigated by OCPO. OCPO has met with and made presentations to the Board of Child and Family Services, the Child Welfare Legislative Oversight Panel, and the Office of the Guardian Ad Litem. OCPO continues to provide one-on-one training and information to DCFS staff and other child welfare partners who contact OCPO for assistance.

Because OCPO investigates complaints about DCFS, OCPO staff must be knowledgeable about federal law, Utah law, DCFS rule and policy, and child welfare issues. OCPO has received training on the Child Welfare Juvenile Court Process; class action lawsuits; methamphetamine issues; child protective services, foster care, and kinship policy; the DCFS practice model; family unity; and domestic violence related child abuse. OCPO continues to stay updated and informed about proposed legislation that may impact child welfare in Utah.

In January 2001, the Paiute Indian Tribe Social Services Director, invited me to attend the Bureau of Indian Affairs (BIA) Regional and State Child Welfare Services Meeting held in Cedar City, Utah. The two-day gathering allowed me to meet BIA line officials, and

their social services staff who explained the challenges and barriers in providing services to Native American children. This information is assisting OCPO in conducting investigations and making recommendations to DCFS regarding their involvement with, and the services they provide to, Utah’s Native American children and families.

The Ombudsman’s staff has served on committees to assist in the creation of policy for child protective services, kinship, and foster care licensing. OCPO attends the DHS Fatality Review Committee, and, as requested conducts investigations on cases that raise concerns relating to DCFS involvement.

In an ongoing effort to improve and strengthen the ability of OCPO to assist Utah citizens, I have completed my evaluation of Utah’s current OCPO statute and have presented my recommendations on a number of revisions to the Department of Human Services Executive Director and the Director of Legal Compliance and Legislative Affairs.

OCPO is committed to protecting children and providing the best possible service to the children, families, and citizens of Utah.

OCPO will continue to conduct independent, impartial, and fair investigations in response to citizens’ complaints.

Sincerely,

Marsha Peterson
Ombudsman

KINSHIP CARE SERVICES

“Alcohol and drug abuse, child abuse and neglect, incarceration, domestic violence, and illnesses such as HIV/AIDS have resulted in an unprecedented number of relative caregivers or kinship caregivers raising children, both inside and outside of the formal foster care system” – Children’s Defense Fund

IMPARTIALITY...

An ombudsman is free from initial bias and conflicts of interest in conducting inquiries and investigations.

– American Bar Association

OCPO is “a completely neutral party that will look at both sides”

– Utah DCFS

“They’ve [OCPO] shown good restraint and judgment in expressing their findings and recommendations”

– A Utah Assistant Attorney General

Although Utah is experiencing a trend toward greater use of relatives to care for abused and neglected children, Utah is unique, as there are two ways in which DCFS is involved with kinship placements. The first occurs when a judge orders temporary custody and guardianship of the child to a relative and does not give DCFS custody of the child. In these cases, DCFS may provide in-home services, such as protective supervision services and may assist in the reunification of the child with the child’s parent or guardian. The second possibility is that the court may give DCFS custody of the child and a relative becomes a licensed foster home. In this case, foster care services are provided pursuant to the court’s order and the DCFS treatment plan. Although a kinship provider is not required to obtain a foster care license, some relatives may choose this option in order to access financial resources beyond those available under a relative grant. An example of this may be when a relative requires financial support to meet the needs of a child’s chronic medical condition.

There are a significant number of children in Utah currently residing in kinship placements. In July of 2001, there were a total of 2,016 children in DCFS custody. Of these 2,016 children, 126 were residing with a relative. 45 were residing with a relative who had been given temporary custody and guardianship of the child and DCFS provided an in-home service to the family. There were 81 children residing with a relative that had become a licensed foster parent, now called a Family Resource Provider, and were receiving DCFS services.

OCPO is in full support of DCFS’ increased efforts to utilize kinship providers, as these placements can be extremely beneficial to both children and their families. Some of the challenges that are found with traditional foster care are inherently addressed with kinship and there are significant benefits in placing children with relatives. Research shows that children in kinship placements have more frequent contact with the child’s parent and siblings than in traditional foster care and kinship placements provide children with a sense of family support. This helps facilitate a greater sense of connectedness to their family and their family history. It has also been suggested that there are factors of kinship placements, which may help reduce the impact of separation for the child, including the circumstances of the removal. This indicates that placing the child with someone whom they already have a long-term trusting relationship may decrease the amount of distress experienced by the child as a result of the removal. In this regard, kinship families are an invaluable resource. However, the increased use of kinship placements also presents unique challenges to the family, relatives, and DCFS.

One of the most difficult jobs of any child welfare worker is removing a child from his or her parent. There is little doubt about the impact that this has on both the child and the family. However, in recent years great efforts have been made to reduce the stress and trauma that removal from the home may cause.

One example is the use of kinship placements to provide care for a child who DCFS has determined to be at risk in his or her home. During the 2001 General Session of the Legislature, the Emergency Kinship Placement for Foster Children bill was passed, effecting the ability of DCFS to place children in the home of a relative.

Although beneficial to children and families, the increased use of kinship care brings with it its own set of challenges. In fiscal year 2000-2001, OCPO received and/or investigated 12 cases involving 21 children who received services from DCFS while residing in kinship care. OCPO found there were some common problems that arose during the course of these cases. The most common kinship concerns were found in the following areas:

- “Voluntary Placements:” OCPO found that a clear and consistent process was not being used when DCFS determined that a child was at risk and the child’s parent “voluntarily” placed the child with a relative without DCFS taking custody of the child. Problems occurred when DCFS restricted parental access to the child without legal authority to do so, or when DCFS assisted the parents in placing the child with a relative but failed to provide ongoing services to assist the family. OCPO is hopeful that the implementation of the DCFS Emergency Kinship Placement policy will address these concerns.
- Kinship Studies and Background Checks: OCPO found that DCFS did not consistently complete written kinship study reports. The use of terms such as “pass” and “fail” regarding background checks on kinship placements resulted in incomplete information being presented to the Juvenile Court.
- Medical, Dental, and Mental Health Care: Children removed from their home for abuse and neglect and placed in kinship placements were not receiving the same level of services as children placed in licensed foster homes. OCPO found that DCFS policy did not require workers to monitor the medical, dental, and mental health needs of these children.
- Supportive Services: OCPO found that kinship care providers that were given custody and guardianship of a child received less support from DCFS than foster care providers in accessing services such as financial assistance; medical, dental, and mental health care; and the education system.

Throughout the year, OCPO made several recommendations regarding the concerns identified in providing care to children in kinship placements both specific to the cases as well as to address systemic issues. OCPO issued a memo that contained policy recommendations to address statewide inconsistencies with kinship studies and background checks. Because in-home services and foster care services were not designed to address kinship care cases, DCFS recognized the need to develop a kinship policy that will more appropriately focus on the specific needs of these children, families, and providers.

OCPO was invited by DCFS to participate on the Kinship Policy Committee. The goal of this committee was to develop a kinship policy that addresses the needs of the families and provides direction to workers to help ensure children and the kinship care providers receive support and adequate services. The committee welcomed input from OCPO regarding complaints made by kinship providers and parents that may point to larger systemic issues. OCPO was impressed with the knowledge and skill of the members of this committee and is pleased with the progress made to improve this service. The DCFS Board approved the policy, which became effective on March 26, 2002.

OCPO CASE #00-337-164

Concerned neighbors contacted OCPO regarding a child placed at the Utah State Hospital. The neighbors were concerned that the placement was inappropriate and that the child would not be returned home for the upcoming Christmas Holiday.

OCPO found that the neighbors possessed only limited information regarding the child’s diagnosis, commitment, and treatment plan.

As part of the OCPO investigation, an Assistant Ombudsman attended the commitment review for the child at the Utah State Hospital. At that time, the designated independent examiner found that continued commitment of the child was warranted.

OCPO also interviewed the parents who were highly complimentary of the DCFS services they had received.

Although the complainants remained dissatisfied with the action taken by OCPO, OCPO ensured that the child and family received appropriate services from DCFS.

This case demonstrates the difficulty OCPO faces when legal constraints limit the release of confidential information that may resolve the complainants concern.

OCPO AND DCFS WORK TOGETHER TO PROTECT UTAH CHILDREN

FAIRNESS...

“... the ‘magic’ of OCPO is the in-depth expertise of a small staff thoroughly versed in child welfare and quite versed in child welfare law with the ability to jump into a case and get it on the right path.”

— Assistant Attorney General

OCPO ON THE INTERNET

In May of 1999, OCPO created a web page to help increase the public's awareness of the services available through our office. The web site provides information to the public regarding how we can help them resolve complaints about the services and protection provided by DCFS to Utah's children and families.

Visit us at
www.hsocpo.state.ut.us

to learn more about our office, the staff and the services we provide.

In December 2000, OCPO received reports from child welfare partners that Child Protective Services (CPS) investigations in the Salt Lake Valley Region were resulting in the failure to remove children at risk. In response to these concerns the Ombudsman initiated a review of 39 Priority 1 and Priority 2 CPS cases where DCFS is required to respond within one hour and 24 hours respectively.

Of the 39 cases reviewed, OCPO found concerns in 15 cases. OCPO staff found one case particularly disturbing. Although the CPS investigation was closed, OCPO staff believed the children remained at risk and should have been removed at the time of the DCFS investigation. Because of the error in this case, OCPO staff reviewed another case assigned to this worker. During the review of the second case, OCPO staff became increasingly concerned by what appeared to be a lack of appropriate risk assessment by the worker and supervisor.

OCPO continued to randomly review the worker's cases. Initially, 28 cases were reviewed involving 48 children. OCPO identified serious concerns in nearly all of the cases. The cases included allegations of physical abuse, domestic violence, emotional maltreatment, non-supervision, sexual abuse, and physical neglect. Ultimately, OCPO completed a review of 113 cases involving 225 children. Of the 113 cases, 68 cases involving 134 children were identified as requiring further action necessary by DCFS.

In response to OCPO's identified concerns, the Regional Director and Regional Administration prepared an action plan, which outlined six objectives for the DCFS office to achieve over a 90-day period.

On April 25, 2001, OCPO distributed an Investigative Report. Because of the number of children who may have still been at risk, and the number of cases reviewed where no action was taken, OCPO recommended that a minimum of three additional CPS staff be assigned to the office where these concerns were identified.

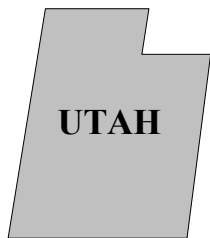
Regional Administration found additional staffing resources that allowed them to fill an existing vacancy and one of the three recommended positions. Due to the time required to complete recruitment and the hiring of additional CPS workers, relief did not begin until May 2001.

Between February and May 2001, Regional Administration placed a major emphasis on additional case reviews and recommendations to determine the activities needed to ensure children identified in the cases had appropriate assessments and services. During this time, OCPO continued to meet with DCFS to review the process and identify any additional action that needed to be taken by DCFS. The review of cases, implementation of the DCFS' action plan, and completion of case recommendations occurred over a ten-month period. On October 1, 2001, OCPO determined that all of the cases being monitored by OCPO had been adequately addressed as to casework deficits, safety and protection issues, and appropriate services.



UNITED STATES OMBUDSMAN ASSOCIATION

Children and Families Chapter Conference Meets in Utah



The United States Ombudsman Association (USOA) Children and Families Chapter held its first semi-annual conference in Salt Lake City on May 31 and June 1, 2001. At a chapter meeting during the 2000 USOA National Conference, members recognized the increasing need to network and dialogue common challenges and barriers faced by child and family ombudsmen.

The conference was hosted by Vickie Wallen, Washington; Karen Grace-Kaho, California; Greta Mang, Arizona; Marsha Peterson, Utah, and her staff who planned, coordinated, and facilitated the conference. Financial support from USOA made the cost of attendance possible for ombudsmen across the nation. In all, there were 27 ombudsmen in attendance from the states of California (7), Utah (6), Illinois (2), Rhode Island (2), Tennessee (2), Washington (2), Arizona (1), Connecticut (1), Kentucky (1), New Hampshire (1), Oklahoma (1), and Texas (1).

Presentations were given on a variety of topics that related to our common work as ombudsmen, including independence and credibility, managing an office, facilitating system-wide change, and common challenges and barriers shared by the ombudsmen. The Executive Director of the Utah Department of Human Services, Robin Arnold-Williams, gave an inspiring and candid presentation on the benefits of having an ombudsman in child welfare. Attendees also heard an excellent presentation by Section Chief Mary T. Noonan, from the Utah Child Protection Division of the Utah Attorney General's Office. She spoke about Utah's experience in responding to a class action lawsuit and how those lawsuits can facilitate needed system changes. Jennifer Rodriguez of the California Youth Connection spoke on how former and current youth in foster care have been successful in getting needed legislation passed, benefiting foster youth in California.

Various ombudsmen shared their experiences, issues, and challenges. Attendees expressed enthusiasm about the October 2001 USOA conference in New Hampshire, where the chapter will continue to explore common concerns and pursue solutions from various perspectives.

COMPLAINTS ABOUT OCPO

If you are dissatisfied with the manner in which a complaint is handled by staff at the Ombudsman's Office, the following is recommended: First, raise the issue with the OCPO staff person involved. If this does not resolve the issue, the complainant is encouraged to speak to Marsha Peterson, Ombudsman, at 538-4589. If the complaint is not resolved by the Ombudsman, the complainant may contact the Department of Human Services Executive Director's Office at 538-4001.

"The mark of good government is not that it never makes a mistake. Like everyone else, government workers are only human. Rather, the mark of good government is that when it discovers a mistake it takes swift action to correct it."

— Patrick M. Shannahan,
Ombudsman Citizen's Aide,
1996 Ombudsman Report,
Arizona

INDEPENDENCE...

“...means that the ombudsman is free from interference in the legitimate performance of duties and independent from control, limitation, or a penalty imposed. An ombudsman is independent in its structure, function, and appearance.”

– American Bar Association

“OCPO serves everyone best if independent”

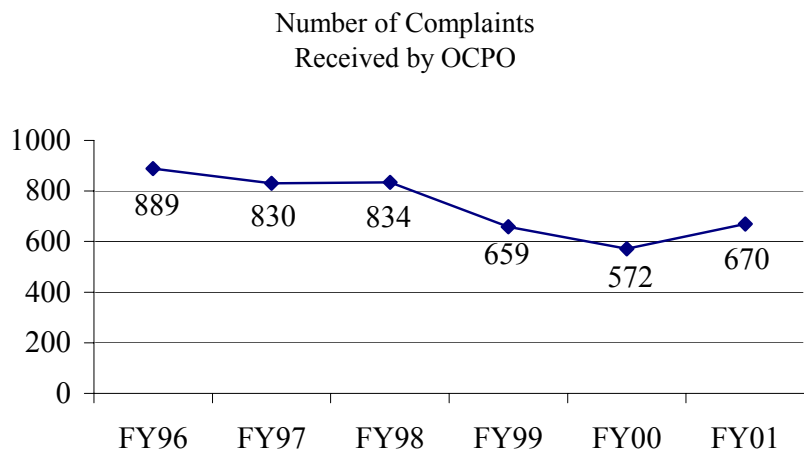
– Child Advocate

“...hallmarks of ombudsman programs is to help citizens negotiate their way through the bureaucratic tangles and thickets and to help cut ‘red tape’”

– The Benson Consulting Group, Inc.

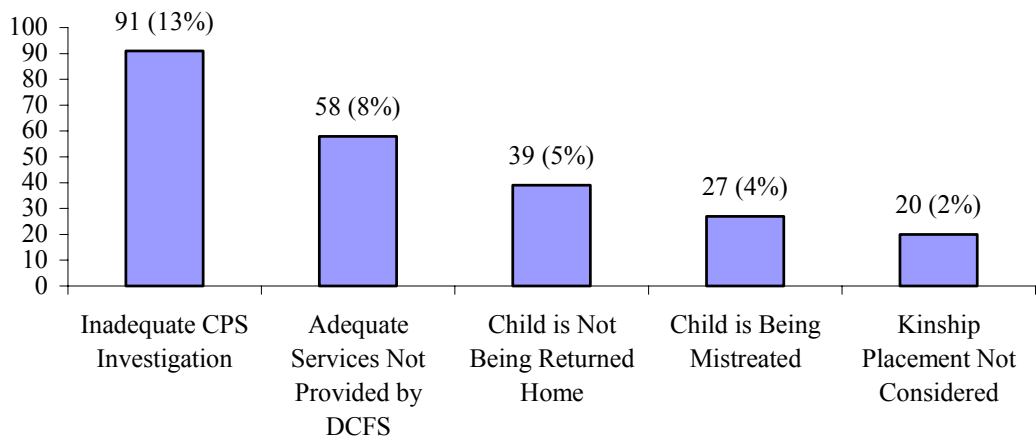
THE NUMBERS

OCPO’s complaint tracking system, referred to as the Kids Information Database System (KIDS), enables OCPO to report an accurate, targeted, and statistically sound picture of the work that OCPO does. KIDS gives OCPO staff the ability to track and report the validity of each individual concern contained within an investigation. One OCPO investigation may contain as few as one concern, or as many as 30 concerns.

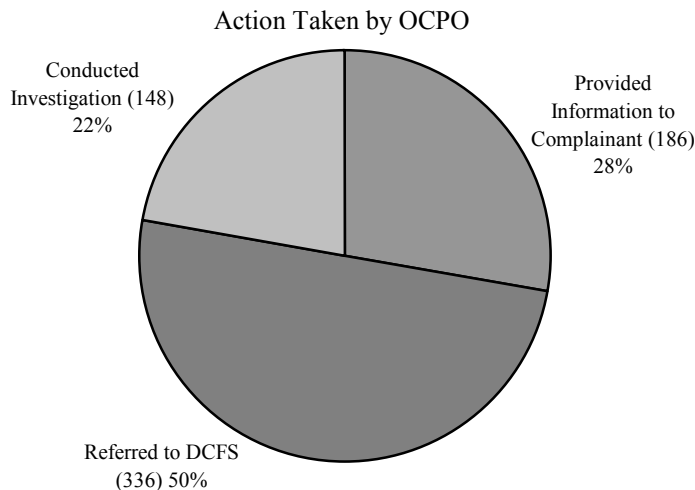


From July 1, 2000 to June 30, 2001, OCPO received 670 telephone, written, and in-person complaints. This number represents an increase of 17.1% (98 complaints) compared to FY 2000. Of the 670 complaints, OCPO was contacted most frequently about inadequate child protective services investigations, inadequate services being provided to the family, foster children not being returned home, children being mistreated, and kinship placements not being adequately considered.

Top 5 Concerns Initially Reported by the Complainant to OCPO

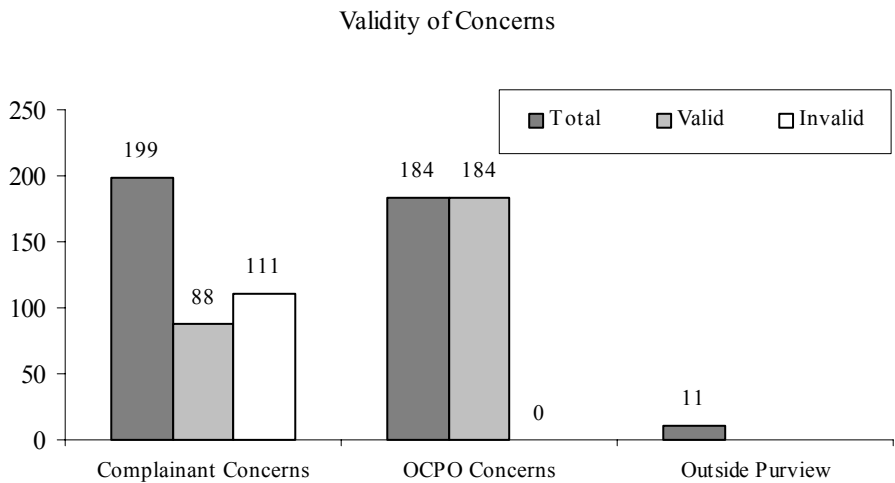


OCPO staff intervenes on behalf of complainants on a variety of levels. Actions taken by OCPO in FY 2001 included providing complainants with information about child welfare services or policies on 186 complaints, referring 336 complainants to DCFS for resolution, and opening 148 investigations.



Of the 670 complaints received by OCPO in FY01, OCPO conducted 148 investigations. Those 148 investigations contained 394 individual case concerns. Of those 394 concerns, 210 concerns were reported to OCPO by the complainant. OCPO identified 184 additional concerns. Of the 210 concerns reported by the complainant, OCPO investigated 199 concerns. OCPO declined to investigate or make findings and recommendations to 11 concerns reported by the complainant, as they were outside of OCPO’s jurisdiction. OCPO did, however, refer the complainant to the appropriate agency for resolution.

Of the 383 investigated concerns, OCPO found 272 (71%) concerns to be valid and 111 (29%) concerns to be invalid. 44% of the concerns reported to OCPO by the complainant were found to be valid.



TRAINING NEED IDENTIFIED

During an OCPO investigation, OCPO was informed that Child Protective Service (CPS) workers were not conducting adequate sexual abuse investigations.

OCPO reviewed a random sample of unsubstantiated sexual abuse cases and found several cases that lent support to the complaint. OCPO found cases in which the thoroughness of the investigations, the accuracy of case dispositions, and the worker’s assessment of risk were of significant concern. OCPO met the Regional Director to discuss the concerns identified in these cases and the children who may be currently at risk.

As a result of this meeting, DCFS opened three new CPS cases for investigation to thoroughly address the sexual abuse allegations, assess current risk to the children, and make any appropriate addendum to the case findings. The Intake Supervisor conducted a review of the remaining cases to identify potential training needs.

As a result of this review, the DCFS staff received advanced CPS sex abuse training, which included interviewing skills, and other issues related to sex abuse cases. OCPO was also informed that the DCFS Trainer is scheduling two additional trainings on sexual abuse for the Region.

OCPO would like to thank the Regional Director and the Intake Supervisor for their immediate response to address the concerns.

**CUSTOMER
SATISFACTION
SURVEY**

OCPO strives to provide quality customer service and when necessary, will make appropriate changes to enhance the services provided. A customer service satisfaction questionnaire was mailed to OCPO customers who contacted the Ombudsman’s office in the calendar year 2000. The customers surveyed included parents, foster parents, grandparents, relatives, DCFS staff, Attorneys General, Guardians ad Litem, medical professionals, and other concerned citizens. The purpose of the questionnaire was to determine the degree of satisfaction with the service, information, and assistance being provided by OCPO.

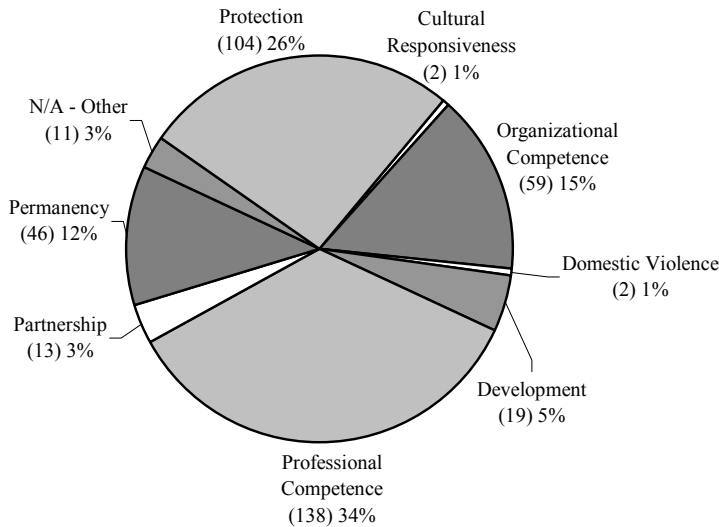
The questionnaire identified needed improvement in the following areas:

- Making the OCPO process easier for customers to understand
- Reducing the amount of time for OCPO to complete an investigation
- Educating customers on the role and authority of OCPO
- Explaining to customers what they can expect from OCPO

OCPO appreciates the opportunity to receive feedback and implement changes to improve customer service. Based on the information received, OCPO has taken action to improve the OCPO process and communication with our customers.

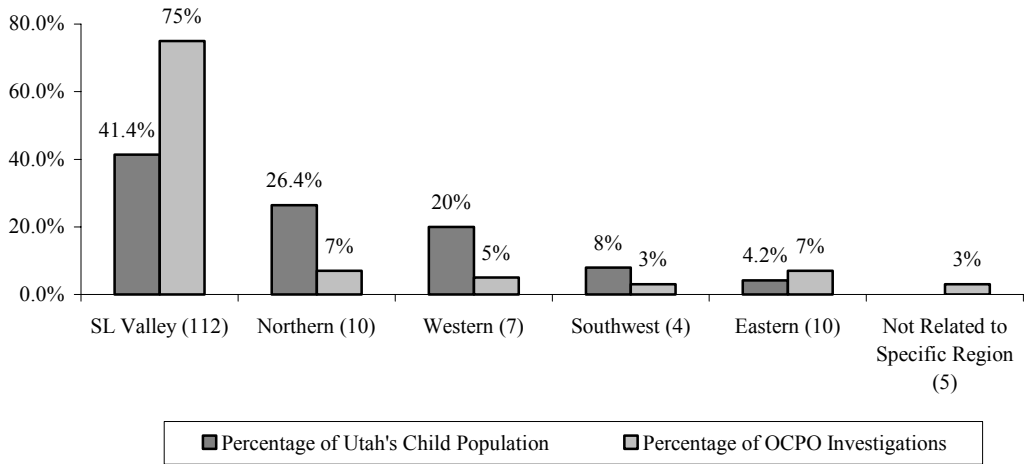
As part of DCFS’s move from compliance-based practice to a social work/process-based practice, DCFS and community partners developed practice model principles. The principles are a way for DCFS to guide social work practice in order to accomplish the mission of DCFS. In order to clearly communicate identified concerns and recommendations to DCFS, OCPO has adapted KIDS to include these practice model principles. Eleven of the concerns investigated by OCPO were categorized as “N/A – Other” because the concerns were not within OCPO’s statutory authority.

Category of Concerns Investigated
by Practice Model Principles



Of the 148 investigations, 75% were regarding cases in the Salt Lake Valley Region, which serves 41.4% of Utah’s child population. While the Northern Region serves 26.4% of Utah’s child population, only 7% of OCPO investigations were conducted in that Region. In contrast, 7% of OCPO’s investigations were in the Eastern Region, which serves 4.2% of Utah’s child population. OCPO investigated three complaints regarding Sipapu, the contract agency that conducts CPS investigations when there is a conflict of interest. OCPO also conducted two investigations regarding statewide systemic issues. The Sipapu and systemic investigations accounted for 3% of OCPO’s investigations.

Comparison of Utah's Child Population and OCPO Investigations



The majority of valid concerns were identified in the following 10 categories:

81 (31%)	Delayed or inaccurate assessment that resulted in inadequate intervention or poor permanency planning.
43 (16%)	Violation of policy, law, or court order.
22 (8%)	Inadequate documentation/record keeping.
19 (7%)	Inadequate communication between DCFS and outside child welfare partners/stakeholders (families, school, foster parents, licensing, GAL, AAG, etc).
12 (4%)	Critical case decisions such as removal, placement, and permanency, etc. were made without the input of the child, family, providers and/or other stakeholders.
12 (4%)	Inadequate policy or procedure.
11 (4%)	Inadequate communication within DCFS (DCFS regions, workers, administration).
11 (4%)	Appropriate intervention and/or services were identified but not provided or initiated in a timely manner.
11 (4%)	DCFS staff and/or provider was not adequately trained to permit practice consistent with the practice model principles.
9 (3%)	Unprofessional or unethical behavior by a DCFS employee.

“OCPO receives good marks for its responsiveness, timeliness, thoroughness, and attention to detail and professionalism...”

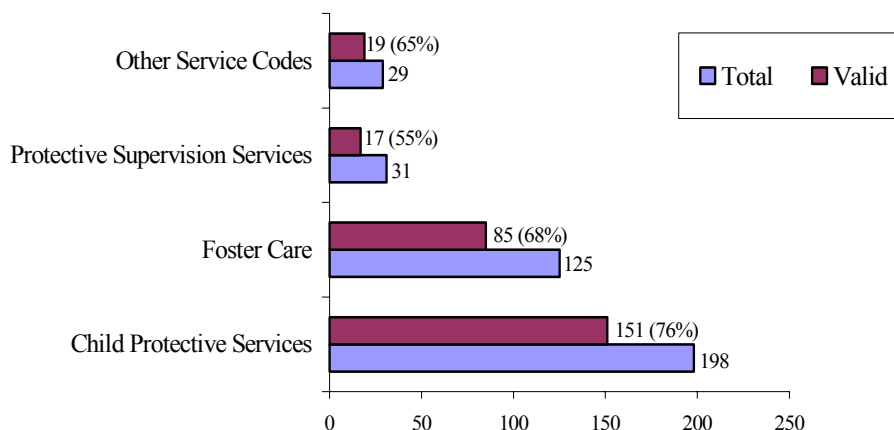
— The Benson Consulting Group, Inc.

Of the 373 concerns investigated, 198 (53%) were related to Child Protective Services. Of those 198 concerns, 151 (76%) were valid. 125 (33%) of the 373 concerns investigated were related to Foster Care. Of those 125 concerns, 85 (68%) were valid. 31 (8%) of the 373 concerns investigated were related to Protective Supervision Services. Of those 31 concerns, 17 (8%) were valid. 29 (8%) of the 373 concerns investigated were related to other service codes including but not limited to Protective Services Counseling, Protective Family Preservation, and Clinical Counseling Services.

WE WOULD LIKE TO MEET YOU

We would like to introduce ourselves to your organization or group. We are available to provide training about our services, the types of complaints we receive, or any specific subject your group or organization might be interested in. Our brochures and reports are also available.

Validity of Investigated Concerns by Service Code



“I am so glad that you [OCPO] were able to attend this meeting. I know we would not have had such a positive outcome if you had not been involved.”

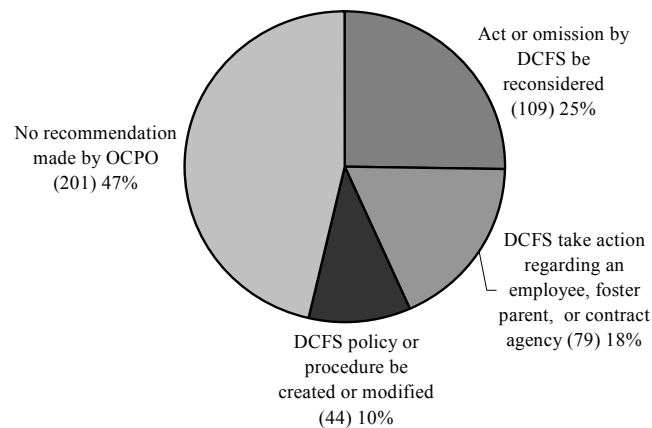
— Mother

OCPO CASE #01-301-649

During an OCPO investigation, OCPO attended a family team meeting at the request of the parents. The parents reported to OCPO that they felt DCFS was not responsive to their concerns and questions. They had expressed concerns regarding the decision by DCFS to stop visitation between the parents and their children and were confused by what was happening on the case. The meeting was a success and the parents reported to OCPO that they felt that DCFS had finally listened to what they had to say. Although the OCPO involvement in the meeting was minimal, the parents reported that they felt supported by our office and believed that our presence helped them resolve issues that DCFS had previously refused to address.

To address the valid concerns, OCPO made case-specific recommendations as well as recommendations related to caseworker training and systemic issues. OCPO notes that OCPO often makes more than one recommendation to address a valid concern.

Categories of Recommendations



OCPO did not make recommendations regarding 201 (47%) concerns for the following reasons:

- The concern was determined by OCPO to be invalid.
- The concern was outside of OCPO’s jurisdiction.
- The employee named in the complaint was no longer employed by DCFS at the time of the OCPO investigation and OCPO did not identify a systemic issue.
- Although the concern was found to be valid, DCFS took appropriate action to address the concern prior to the completion of OCPO’s investigation.

During FY01, OCPO made 232 recommendations to DCFS. OCPO made 109 (25%) recommendations that DCFS address or reconsider an act or omission by DCFS regarding a child or family, including but not limited to recommendations that the following actions take place:

- Clinical consultation;
- A multi-disciplinary meeting;
- A family meeting;
- Further investigation by DCFS; and
- Amendment of DCFS records and/or management information system to reflect accurate information, as determined by OCPO.

OCPO made 79 (18%) recommendations that DCFS take action regarding one or more of its employees, foster parents, or a contract agency, including but not limited to the following:

- Training;
- Mentoring; and
- Administrative review

Of the 232 recommendations made to DCFS 44 (10%) recommended policy or procedure be modified or created, including but not limited to the following:

- Develop and distribute a clear procedure regarding how conflict of interest cases are to be conducted.
- Review policy and procedure regarding courtesy caseworkers to ensure the responsibility for case actions is clearly outlined.
- Expedite the development and approval of new kinship policy that includes guidelines for assessment and services to kinship families prescribed by the Child Welfare League of America.
- Issue a statewide “Policy and Practice Alert” reinforcing the statutory language concerning confidentiality of referents making CPS referrals.
- Issue an interim policy clarifying the “constructive removal” process.
- Review current respite care policy #315.11 to explore the feasibility of amendments, such as requiring a SAFE database search of non-respite providers, that will offer relief to foster parents while making every effort to assure the safety and well-being of foster children.
- Because domestic violence victims often leave a shelter after a short time, CPS Intake policy and the CPS Intake checklist be modified to prescribe a Priority 1 or 2 time frame on all CPS referrals involving women residing at domestic violence shelters.
- In cases when conflict between DCFS and the parents becomes apparent, DCFS consider mediation or some other form of intervention to immediately and openly address the concerns.
- Amend current policy to include specific requirements of the DCFS worker when a child is placed in emergency foster care or shelter.
- Implement a statewide practice in which DCFS supervisors and administrators independently document their involvement in case consultations and their understanding of the agreed upon outcome in the SAFE activity logs.
- Explore initiating a statewide intake system.
- Review the investigation protocol of serious physical abuse and medical neglect cases.
- Regarding future child fatality cases, identify prior DCFS case workers who have had direct involvement with the deceased child and notify them of the death, and inform them of services available under the DCFS administrative protocol and procedure on grief counseling available to DCFS staff. Remind these workers of the DHS media policy so they are prepared to respond in the event that they receive an inquiry from the media.

OCPO AFFECTS SYSTEMS CHANGE THROUGH PARTNERSHIP

To improve the public’s trust, awareness, and understanding of OCPO’s role and authority, OCPO established “partnership” as one of its three goals for the year 2000-2001. During the year, OCPO achieved several successes by implementing strategies that it outlined to achieve partnership. By promoting open lines of communication with other state agencies and community child welfare partners, OCPO was able to make recommendations and affect systems outside of DCFS. Over the last reporting period, recommendations by OCPO were welcomed by several agencies outside of DCFS, including the Foster Care Citizen Review Board (FCCRB).

For example, in the fall of 2000, OCPO identified a concern that DCFS may be limiting the ability of FCCRB to serve its purpose by failing to notify the FCCRB of all “interested parties” to invite to the FCCRB hearing. In addition to making recommendations to DCFS, the Ombudsman also corresponded with the Director of the FCCRB. The Director of the FCCRB responded, “I believe that your assessment of the root of the problem is accurate.” The Director also stated that as a result of the OCPO recommendations the FCCRB notification forms were modified.

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MISSION:

Benefit the children of Utah through trust, built on competency and caring.

VISION:

Investigate consumer complaints regarding the Division of Child and Family Services, to assist in:

- Promoting changes in the child welfare system that will improve the quality of services provided to the children and families of Utah
- Building bridges with partners to effectively work for children

CREDO:

“Children First.”





*The OCPO logo portrays OCPO's credo: "Children First."
The logo illustrates an adult bird sheltering, nurturing, and protecting a baby bird.*